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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,713	02/14/2002	Douglas M. Crockett	020197	2084
23696	7590	12/09/2003		
Qualcomm Incorporated Patents Department 5775 Morehouse Drive San Diego, CA 92121-1714			EXAMINER GESESSE, TILAHUN	
			ART UNIT 2684	PAPER NUMBER 4
DATE MAILED: 12/09/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/076,713

Applicant(s)

CROCKETT ET AL.

Examiner

Tilahun B Gesesse

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5,10-13,18-22 and 27-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Schmidt (6,018,668).

As to claims 1,10,27, Schmidt discloses in server (21), a method for initiating a group a group call in a group communication network (figure 3), the method comprising: receiving a request for initiating a group call based on a member (originating phone 20 a request dial group no.10, column 3 lines 36-59 and figure 3) and initiating the group call based on the received member list (column 3 line 60-column 4 line 8, column 2, lines 25-35 and figure 3).

As to claims 2,11,19,28 Schmidt discloses announcing the group call to each member in the member list (column 4 lines 51-58).

As to claim 3, 12, 20,29,Schmidt discloses receiving acknowledgement from a member who wishes to participate in the group call (send connect signal to the switch,

column 6, line 29) and forwarding media to the member after its traffic channel is re-established (column 6 lines 30-31 and figure 7)

As to claims 4, 21, Schmidt discloses triggering the member to re-establish its traffic channel (column 6, lines 30-31).

As to claims 5, 13, 22, 30-31 Schmidt discloses buffering media for transmission to the member after its traffic channel is re-established (column 5, line 64 –column 6 line 4).

Claim 18, which recites the step of implementing apparatus, in place of method claim 1, is rejected for the same reason as set forth in the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-9, 14-17, 23-26 and 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt in view of Schmidt (WO 01/31968).

As to claim 6-8, 14-16, 23-25 and 32-34, Schmidt discloses the announcement includes transmitting the message on a forward paging channel of the wireless network (column 6, lines 18-36).

Schmidt does not disclose forward common control channel of the wireless network.

Schmidt '968 discloses the paging message reside entirely on a portion of the SPACH or equivalent control channel (page 23 line 21–page 24 line 4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the time of the invention was made to combine Schmidt and Schmidt'968 in forwarding common channel of the wireless network, as taught by Schmidt' 968, in order to dispatch a call to the group call participants.

As to claim 9,17,26,35 Schmidt discloses transmitting the message in short data burst form. The ID field of an originating caller page message is considered "short data burst" (abstract).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Christensen et al (6,148,064) discloses a group call traffic channel and common traffic channel (abstract).

Bridle et al (6,163,680) discloses group call and generates a list of the group call participants and further acknowledges the group call (column 5, lines 20-43 and figurer 5)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 703-308-5873. The examiner can normally be reached on flex.

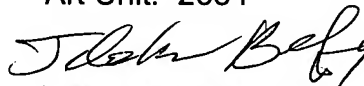
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-308-6306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

TBG

December 2, 2003

Art Unit: 2684


TILAHUN GESESSE
PATENT EXAMINER